



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 7, 1997

S. 170

Clone Pager Authorization Act of 1996

As reported by the Senate Committee on the Judiciary on September 18, 1997

S. 170 would make it easier for law enforcement agencies to obtain judicial authorization for using clone pagers in investigations. (Clone pagers are similar to wiretaps for paging devices.) CBO estimates that enacting the bill would have no significant impact on the federal budget. Because the bill would not affect direct spending or receipts, pay-as-you-go procedures would not apply. S. 170 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA) and would not impose costs on the budgets of state, local, or tribal governments.

S. 170 would impose a new private-sector mandate by authorizing federal courts, upon the request of a government attorney or law enforcement agency, to order providers of paging services and other persons to furnish information, facilities, and technical assistance to law enforcement officers who use clone pagers in surveillance operations. Clone pagers are communications devices (pagers) used by officers--unknown to senders or the intended recipients of paging messages--to monitor individuals who are believed to be engaged in illegal activity. In practice, they are equivalent to a telephone that rings simultaneously at one's home and at police headquarters. Clone pagers would, for example, improve the ability of law enforcement officers to track phone calls to the pager of a known drug dealer.

In general, law enforcement agencies reimburse businesses in the personal communications industry for the cost of paging devices and services furnished to officers. Provided that law enforcement agencies continue to reimburse providers of paging services and that those agencies do not significantly increase usage of the services, CBO estimates that the direct cost of the new mandate would not be substantial or exceed the statutory threshold in UMRA.

The CBO staff contacts for this estimate are Mark Grabowicz (for federal costs), and Matt Eyles (for the private-sector impact). This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.